

VANCE LEVEL HOMEOWNER'S ASSOCIATION

DATE ADOPTED: July 9 2009

POLICY RESOLUTION NO. 02  
RELATING TO VIOLATIONS AND DUE PROCESS HEARINGS.

WHEREAS, **Vance Level Homeowner's Association** (*hereinafter "Association"*) was created by a Declaration on May 3, 2005, and recorded in the land records for the City of Chesapeake, in Deed Book 5998, at Page 75; and

WHEREAS, the Bylaws of **Vance Level Homeowner's Association** provide for the governance of the Association were adopted on May 25, 2005; and

WHEREAS, all Lot Owners within **Vance Level Homeowner's Association** are members of **Vance Level Homeowner's Association** by virtue of Article III, Section 3.3 of the Bylaws, and are subject to all the covenants contained in the Declaration by virtue of Articles V & VI of the Declaration; and

WHEREAS, pursuant to Article V, Section 5.2 of the Bylaws, the Board of Directors of **Vance Level Homeowner's Association** is the governing body of the Property Owner's Association and is responsible for the maintenance, repair, replacement, operation, improvement and management of the Common Elements; and

WHEREAS, the Board of Directors has the power and the responsibility to make rules and regulations regarding the Common Elements, pursuant to Article V, Section 5.2 of the Bylaws; and

WHEREAS, the Board of Directors wishes to ensure that the Association's legal documents and Rules and Regulations are obeyed; and

WHEREAS, the Code of Virginia (Section 55-513) has established procedures for due process hearings and violations.

GPIN Number: 0492-005-000010, 1 of 84 Lots

Prepared by: *Thomas and Associates, P.C.*  
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NOW THEREFORE BE IT RESOLVED THAT the following violation and due process policy be adopted by the Board of Directors:

**Section 1:** The Property Owner's Association shall have the power to: (a) suspend an Owner's right to use facilities or non-essential services offered by the Association for nonpayment of assessments to the extent that access to the Lot through the common areas is not precluded and (b) assess charges against any member for any violation of the Declaration or Rules and Regulations for which the Owner or his family members, tenants, guests, or other invitees, are responsible.

**Section 2:** Before any such charges may be assessed or suspension imposed, the Owner shall be given an opportunity to be heard and to be represented by counsel before the Board of Directors or other tribunal specified in the documents. Notice of a hearing shall be hand-delivered or mailed by registered or certified mail, return receipt requested, to the Owner, at the address of record with the Association at least fourteen (14) days prior to the hearing. The amount of any charges so assessed shall not be limited to the expense or damage to the Association caused by the violation, but shall not exceed fifty dollars (\$50.00) for a single offense or ten dollars (\$10.00) per day for any offense of a continuing nature and shall be treated as an assessment against the Owner's Lot for the purpose of Section 55-516 of the Virginia Code.

ADOPTED by the **Vance Level Homeowner's Association** Board of Directors  
this 4 day of July, 2009.

(signatures on next page)

By: \_\_\_\_\_  
President

By: \_\_\_\_\_  
Secretary

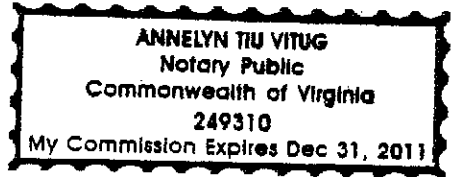
COMMONWEALTH OF VIRGINIA  
CITY OF Chesapeake, TO WIT:

I, Annelyn T. Vitug, a Notary Public in and for the City aforesaid, in the Commonwealth of Virginia, do hereby certify that Arthur Rubin, President, **Vance Level Homeowner's Association**, whose name is signed to the above resolution bearing date on the 9<sup>th</sup> day of July, 2009, has acknowledged the same before me in my City aforesaid.

Given under my hand this 9<sup>th</sup> day of July, 2009.

\_\_\_\_\_  
Annelyn T. Vitug  
NOTARY PUBLIC

My commission expires: 12/31/2011  
My registration number is: 249310



COMMONWEALTH OF VIRGINIA  
CITY OF Chesapeake TO WIT:

I, Annelyn T. Vitug, a Notary Public in and for the City aforesaid, in the Commonwealth of Virginia, do hereby certify that Don Gordon, Secretary, **Vance Level Homeowner's Association**, whose name is signed to the above resolution bearing date on the 9<sup>th</sup> day of July, 2009, has acknowledged the same before me in my City aforesaid.

Given under my hand this 9<sup>th</sup> day of July, 2009.

\_\_\_\_\_  
Annelyn T. Vitug  
NOTARY PUBLIC

My commission expires: 12/31/2011  
My registration number is: 249310

